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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 MICHAEL MONTGOMERY,

11 Plaintiff,

12 vs.

13 WAL-MART STORES, INC.;  
14 KINDERHOOK INDUSTRIES II,  
15 L.P.; KINDERHOOK INDUSTRIES,  
16 L.L.C.; KINDERHOOK CAPITAL  
17 FUND II, L.P.; CRESTWOOD  
18 HOLDINGS, INC.; BERGAN, L.L.C.;  
19 JOHN ELMBURG; ROBERT  
20 ELMBURG; ERIC ELMBURG;  
21 ROCKY FLICK; HOME DEPOT  
22 U.S.A., INC.; DOES 1 through 20  
23 inclusive,

24 Defendants.

CASE NO. 12CV3057 JLS (DHB)

**ORDER GRANTING  
DEFENDANTS' EX PARTE  
APPLICATION FOR LEAVE TO  
FILE EXCESS PAGES IN REPLY  
BRIEF**

(ECF No. 55)

25 Presently before the Court is Defendants John Elmburg, Robert Elmburg, Eric  
26 Elmburg, Rocky Flick, Crestwood Holdings, Inc., and Bergan, LLC's Ex Parte  
27 Application for Leave to File Excess Pages in Reply Brief. (ECF No. 55). Good cause

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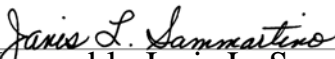
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1 appearing, the Court **GRANTS** the motion. Defendants are permitted to file a 14-page  
2 reply brief. *See* CivLR 7.1(h).

3 **IT IS SO ORDERED.**

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5 DATED: April 9, 2013

6   
7 Honorable Janis L. Sammartino  
8 United States District Judge  
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